

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

THIS DOCUMENT RELATES TO ALL
ACTIONS

MDL NO. 1456

CIVIL ACTION NO. 01-CV-12257-PBS

Judge Patti B. Saris

**IMMUNEX CORPORATION'S JOINDER IN OPPOSITION TO
PLAINTIFFS' MOTION FOR LEAVE TO FILE AN AMENDED
COMPLAINT**

Immunex Corporation hereby joins in Aventis Pharmaceuticals Inc.'s Opposition to Plaintiffs' Motion for Leave to File an Amended Complaint (the "Motion for Leave to Amend"). Plaintiffs did not confer with counsel for Immunex prior to filing their Motion for Leave to Amend. Plaintiffs failed to send to Immunex the demand letter required by M.G.L. ch. 93A sec.9(3) until July 10, 2006. To the extent that Plaintiffs' Motion for Leave, if allowed, would impact the M.G.L. ch. 93A sec. 9 claims against Immunex, for the reasons set forth in Aventis' Opposition, Plaintiffs' motion for Leave to File an Amended Complaint should be denied.

DATED: July 31, 2006.

/s/ Kathleen M. O'Sullivan

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CERTIFICATE OF SERVICE

I hereby certify that on July 31, 2006, I caused a true and correct copy of Immunex Corporation's Joinder in Opposition to Plaintiffs' Motion for Leave to File an Amended Complaint to be served on all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending a copy to LexisNexis File and Service for posting and notification to all parties.

By /s/ Kathleen M. O'Sullivan
Kathleen M. O'Sullivan